

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Anna Steel	Team: Team # 8	CCRB Case #: 200812744	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Monday, 09/01/2008 5:00 PM	Location of Incident: Eastern Parkway and Franklin Avenue	Precinct: 71	18 Mo. SOL 3/1/2010	EO SOL 3/1/2010	
Date/Time CV Reported Wed, 09/03/2008 11:14 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Wed, 09/03/2008 11:14 AM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Nikolaos Stefopoulos	17460	944294	061 PCT
2. POM Joseph Rosso	02771	935656	061 PCT
3. Officers			

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Daniel Baca	13388	934434	052 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Nikolaos Stefopoulos	Force: PO Nikolaos Stefopoulos used physical force against § 87(2)(b)	
B. Officers	Force: Officers used physical force against § 87(2)(b)	
C.POM Joseph Rosso	Force: PO Joseph Rosso used physical force against § 87(2)(b)	

Synopsis

On September 1, 2008, at about 6:00 PM, § 87(2)(b) was walking on Eastern Parkway near Franklin Avenue in Brooklyn. § 87(2)(b) was taking part in the West Indian Day Parade festivities with two acquaintances, identified through the investigation as § 87(2)(b) and § 87(2)(b). An officer, whom the investigation identified as PO Nikolaos Stefopoulos from the 61st Precinct, suddenly pushed § 87(2)(b) on his back (**Allegation A**) and directed him to leave parade route. A second officer, identified through the investigation as PO Joseph Rosso from the 61st Precinct, was also at the scene at this time. § 87(2)(b) alleged that multiple officers, whom he was unable to describe, pushed him past a series of barricades onto the sidewalk (**Allegation B**). These officers then directed him to leave the area. § 87(2)(b) ignored their commands. He lit a cigarette and then began to walk away from the scene. Approximately ten officers, including PO Stefopoulos, grabbed § 87(2)(b) from behind, forced him to the ground, immobilized him by holding his legs and secured him in handcuffs (**Within Allegation B**). § 87(2)(b) alleged that PO Rosso then pushed § 87(2)(b) to the ground on top of § 87(2)(b) (**Allegation C**). The officers then escorted § 87(2)(b) and § 87(2)(b) away from the scene and ultimately transported them to Brooklyn Central Booking. As a result of his arrest, § 87(2)(b) was charged with § 87(2)(b).

§ 87(2)(g)

This case was originally assigned to Investigator Watson. Following her resignation, the case was reassigned to Investigator Steel on May 12, 2009.

Summary of Complaint

§ 87(2)(b)

§ 87(2)(b) is § 87(2)(b) years old. He is a black male who is 5'11" tall, weighs 190 pounds and has black hair and § 87(2)(b) eyes. § 87(2)(b) was interviewed at the CCRB on September 12, 2008 (encl. 4a – 4f).

On September 1, 2008, at about 6:00 PM, § 87(2)(b) left his residence, located at § 87(2)(b) in Brooklyn, and walked to the intersection of Eastern Parkway and Franklin Avenue to take part in the West Indian Day Parade festivities. § 87(2)(b) was with two of his acquaintances, identified through the investigation as § 87(2)(b) and § 87(2)(b) who is not a relation of § 87(2)(b). They stopped briefly to speak with an unknown female individual. An officer pushed § 87(2)(b) on his back (**Allegation A**). § 87(2)(b) described this officer as a white or Hispanic male with a tan complexion who was about 5'9" tall, medium build, had black hair, appeared to be about twenty-five years old and was in uniform and had a silver shield displayed on his chest which bore the name "Rosso." § 87(2)(b) did not specify the manner in which he was pushed. While the description § 87(2)(b) corresponded to PO Joseph Rosso from the 61st Precinct, the investigation determined that PO Nikolaos Stefopoulos from the 61st Precinct was the first officer to come into physical contact with § 87(2)(b) not PO Rosso as alleged.

§ 87(2)(b) asked PO Rosso what was going on and a second officer, identified through the investigation as PO Nikolaos Stefopoulos, directed him to leave. § 87(2)(b) described PO Stefopoulos as a white male who was shorter than 5'8" tall, muscular, had black hair and was in uniform. § 87(2)(b) observed from his shield that the first letters of PO Stefopoulos's name were "St." § 87(2)(b) alleged that twelve to fifteen officers then pushed him off of the street and past an unspecified number of metal barriers onto the sidewalk (**Allegation B**). § 87(2)(b) was unable to describe these officers in any detail, aside from recalling that most of the officers were male and in uniform. § 87(2)(b) did not specify whether he was resisting or pushing against the officers. § 87(2)(b) leaned back and spread his arms to the side to prevent himself from falling. He then stood on the sidewalk and lit a cigarette. From the other side of the barriers on the street,

PO Stefopoulos and an unspecified number of additional officers directed § 87(2)(b) to leave the area and return to his residence. § 87(2)(b) ignored them and explained during his interview that he was waiting for § 87(2)(b) who had his cellular telephone, though he did not specify at what point he became separated from his acquaintance or when he had given his telephone to § 87(2)(b). § 87(2)(b) did not specify where § 87(2)(b) was at this point in the incident.

§ 87(2)(b) began to argue with the officers regarding whether or not he had to leave the location. § 87(2)(b) did not elaborate on the context of this argument or specify how far apart he and the officers were standing. § 87(2)(b) then began to walk away. He heard an officer remark, "Get him!" As § 87(2)(b) walked away, approximately ten officers walked onto the sidewalk and grabbed him from behind and forced him onto the ground (**Within Allegation B**). § 87(2)(b) did not specify where these officers grasped him on his body or describe the manner in which he was brought to the ground. PO Rosso simultaneously pushed § 87(2)(b) (**Allegation C**), causing him to fall on top of § 87(2)(b). § 87(2)(b) did not specify how PO Rosso pushed § 87(2)(b). Multiple officers held § 87(2)(b)'s feet to immobilize him and repeatedly instructed him to stop resisting. § 87(2)(b) asserted that he was not moving and was not struggling. An unspecified number of officers then handcuffed him. § 87(2)(b) was handcuffed as well. § 87(2)(b) could not tell which officers were holding his feet or which officers handcuffed him. § 87(2)(b) asserted that he injured his neck, though he did not know how he sustained this injury, and also sustained cuts to both wrists as a result of being handcuffed. § 87(2)(b) never requested medical treatment while in police custody, though he did not specify why.

§ 87(2)(b) explained that both he and § 87(2)(b) were transported to Brooklyn Central Booking by PO Rosso and PO Stefopoulos. As a result of his arrest, § 87(2)(b) was charged with § 87(2)(b). § 87(2)(b) asserted that PO Stefopoulos made false statements before a judge during his arraignment by claiming that § 87(2)(b) had cursed at him, ignored verbal warnings, refused to provide his identification and returned to the street after he was pushed onto the sidewalk. § 87(2)(b) stated that he did not do any of these things.

Results of Investigation

§ 87(2)(b)

§ 87(2)(b) filed a complaint with the CCRB on September 3, 2009, on behalf of her son, § 87(2)(b) (encl. 3a – 3b). As § 87(2)(b) did not witness the incident, the investigator did not obtain a formal statement from her.

Attempts to Contact Additional Civilians

§ 87(2)(b)

§ 87(2)(b) was identified as a victim in this case by § 87(2)(b). A letter was sent to § 87(2)(b) on September 16, 2008. On September 23, 2008, § 87(2)(b)'s mother called the investigator and scheduled an interview for September 24, 2008. On this date, § 87(2)(b)'s mother called the investigator to cancel the interview. She did not provide a telephone number or alternate means of contacting § 87(2)(b). On October 16, 2008, a second letter was sent to § 87(2)(b). On November 3, 2008, a Lexis Nexis search yielded no additional contact information for § 87(2)(b). On May 13, 2009, a reassigned letter was sent to § 87(2)(b). On May 18, 2009, a Verizon subpoena was returned to the investigator with negative results. On June 1, 2009, a check via 411.com did not yield any additional contact information for § 87(2)(b). On June 1, 2009, a final contact letter was sent to § 87(2)(b). As of the date of this report, § 87(2)(b) has failed to contact the investigator in regards to the incident.

§ 87(2)(b)

§ 87(2)(b) was identified as a witness in this case by § 87(2)(b). On October 16, 2008, a call was placed to § 87(2)(b) provided number. § 87(2)(b) was unable to schedule an interview at the time of this call and refused to provide his mailing address, though he did provide the investigator with an email address.

On November 3, 2008, a contact letter was sent to § 87(2)(b) via an email. Between this date and June 3, 2009, four additional calls were placed to § 87(2)(b) provided number. A reassignment letter was sent to § 87(2)(b) via email on May 13, 2009, and a final contact letter was sent to him via email on June 1, 2009, and again on June 3, 2009. As of the date of this report, § 87(2)(b) has failed to contact the investigator with regard to the incident.

Police Officer Statements:

PO Nikolaos Stefopoulos

PO Nikolaos Stefopoulos is § 87(2)(b) years old. He is a white male who is 5'9" tall, weighs 225 pounds and has black hair and brown eyes. PO Stefopoulos is assigned to the 61st Precinct and has been a member of the service for one year. On the day of the incident, PO Stefopoulos was assigned to a West Indian Day Parade detail and worked from 7:05 AM to 3:40 PM without a partner, in uniform and on foot. PO Stefopoulos's memobook (encl. 6a – 6b) notes that at 6:00 PM, he effected an arrest.

Police Reports

PO Stefopoulos prepared the arrest report (encl. 7a – 7b) and complaint report (encl. 8a – 8b) regarding § 87(2)(b)'s arrest. He reported that on September 1, 2009, at approximately 6:00 PM, § 87(2)(b) was observed walking eastbound on Eastern Parkway against the flow of parade traffic, causing disruption of the parade lines with several other individuals. PO Stefopoulos noted that § 87(2)(b) was acting loud, boisterous and improperly by causing annoyance and alarm to those participating in the parade. When asked by PO Stefopoulos to leave the location, § 87(2)(b) reportedly refused and was ejected past a set of police barricades by PO Stefopoulos, who told him that he was not permitted to reenter the parade. § 87(2)(b) continued to act disorderly and reentered the parade by passing the barricade. PO Stefopoulos then removed him from the parade route a second time and warned him not to pass the barricades. When PO Stefopoulos requested § 87(2)(b)'s ID, § 87(2)(b) replied by stating, "No. Fuck you!" and walked away. PO Stefopoulos then attempted to place § 87(2)(b) under arrest. § 87(2)(b) resisted by flailing his arms in a violent manner, preventing PO Stefopoulos from handcuffing him. The arrest report noted that § 87(2)(b)'s physical and mental condition was apparently normal.

CCRB Statement

PO Stefopoulos was interviewed at the CCRB on November 18, 2008 (encl. 9a – 9b), at which time he provided the following statement: on September 1, 2008, at approximately 6:00 PM, PO Stefopoulos was patrolling his foot post near the intersection of Eastern Parkway and Franklin Avenue in Brooklyn. There were other officers in the vicinity, but PO Stefopoulos did not specify where these officers were more specifically or indicate whether they were from his command. He observed a male, subsequently identified through his arrest as § 87(2)(b) walking with five additional males, two of whom identified through the investigation as § 87(2)(b) and § 87(2)(b) and his companions were walking southbound against the flow of parade traffic on the street. PO Stefopoulos explained that two sets of police barriers had been erected on Eastern Parkway, one which separated the spectators from the parade and another which was intended to keep pedestrians on the sidewalk. § 87(2)(b) and his companions were bumping into people, screaming obscenities and generally disrupting the festivities. PO Stefopoulos approached § 87(2)(b) and instructed him to leave the parade route. § 87(2)(b) retorted that he did not want to leave. PO Stefopoulos then used his right hand to grip § 87(2)(b)'s bicep. PO Stefopoulos did not specify which arm he grasped.

PO Stefopoulos guided § 87(2)(b) past the barricade onto the sidewalk. § 87(2)(b)'s companions dispersed, though PO Stefopoulos did not specify in what direction or whether any officers had approached them or instructed them to leave as well. Once § 87(2)(b) passed the barricade, PO Stefopoulos informed him that if he reentered the parade route he would be cited for trespassing. § 87(2)(b) appeared angry and continued to shout obscenities towards PO Stefopoulos, though PO Stefopoulos did not specify what Ray § 87(2)(b) was saying more specifically. § 87(2)(b) then jumped back over the barricade and onto the parade route. PO Stefopoulos asked § 87(2)(b) for his identification and informed him that he would be issued a

summons. § 87(2)(b) refused to provide his identification. PO Stefopoulos told him that he would be arrested if he refused to provide his ID. § 87(2)(b) replied, "I'm not giving you ID." PO Stefopoulos instructed § 87(2)(b) to turn around and he refused. PO Stefopoulos informed him that he was under arrest. PO Stefopoulos grasped § 87(2)(b)'s right bicep, secured his right hand in a handcuff and tried to turn him around by pulling on his right arm.

§ 87(2)(b) flailed his free arm away from PO Stefopoulos, who then pushed him to the ground in order to restrain him. PO Stefopoulos fell to the street with § 87(2)(b) and sustained bruises to his arms and a scrape on his right knee as a result of making impact with the ground. Additional officers, whom PO Stefopoulos could neither describe nor identify, responded to the scene. PO Stefopoulos confirmed that PO Joseph Rosso from the 61st Precinct was also at the scene, but PO Stefopoulos did not see him take any physical action with respect to § 87(2)(b). PO Stefopoulos was lying on top of § 87(2)(b) who refused to give up his left arm. PO Stefopoulos explained that he twisted the handcuff secured around § 87(2)(b)'s right hand to cause pain as a compliance technique. PO Stefopoulos explained that this technique usually causes the subject to comply, but this did not prove to be the case with § 87(2)(b) who still refused to give up his left arm. The additional officers were able to grasp this arm and pull it towards PO Stefopoulos, enabling him to handcuff § 87(2)(b). None of the individuals in the area interfered in § 87(2)(b)'s arrest. PO Stefopoulos assisted § 87(2)(b) into a standing position. He saw that § 87(2)(b) had bruising on one of his wrists and bruising on his cheek and forehead, the latter of which PO Stefopoulos assumed were caused by falling to the ground.

PO Stefopoulos transported § 87(2)(b) to a mobile command center, where he was brought before an EMT and refused medical treatment. § 87(2)(b) never requested medical treatment from PO Stefopoulos. PO Stefopoulos observed that a second arrestee was at the command center in handcuffs and identified this individual as § 87(2)(b) when presented with a photograph. PO Stefopoulos did not witness § 87(2)(b)'s arrest, which PO Stefopoulos confirmed was effected by PO Rosso. PO Stefopoulos was later informed, though he did not specify by whom, that § 87(2)(b) was arrested for assaulting a police officer. § 87(2)(b) did not appear to be injured. An officer, whom PO Stefopoulos could not identify, responded to the mobile command center and transported PO Stefopoulos and § 87(2)(b) to the 78th Precinct stationhouse in a marked police vehicle.

PO Joseph Rosso

PO Joseph Rosso is § 87(2)(b) years old. He is a white male who is 5'10" tall, weighs 150 pounds and has black hair and brown eyes. PO Rosso is assigned to the 61st Precinct and has been a member of the service for four years. On the day of the incident, PO Rosso was assigned to a West Indian Day Parade detail and worked from 7:05 AM to 3:40 PM without a partner, in uniform and on foot. PO Rosso's memobook (encl. 10a – 10c) notes that he arrested § 87(2)(b) at 6:00 PM at the corner of Franklin Avenue and Eastern Parkway. At 7:30 PM, PO Rosso and a sector from the 71st Precinct transported § 87(2)(b) to the 78th Precinct for arrest processing. At 8:00 PM, PO Rosso began arrest processing.

Police Reports

PO Rosso prepared the arrest report (encl. 11a – 11b) and complaint report (encl. 12a – 12b) corresponding to § 87(2)(b)'s arrest. PO Rosso reported that on September 1, 2008, at approximately 6:30 PM, PO Rosso observed § 87(2)(b) yelling, screaming and throwing items in the street. § 87(2)(b) was approached by PO Daniel Baca from the 52nd Precinct and asked to leave the parade route. § 87(2)(b) punched PO Baca in the face and kicked him in the groin, causing pain and bruising to PO Baca's left eye and face and creating panic and alarm in parade crowd. § 87(2)(b) reportedly flailed his arms and kicked while being handcuffed. § 87(2)(b)'s physical and mental condition was noted as apparently normal. PO Baca reported that physical force was used against him to overcome assault.

CCRB Statement

PO Rosso was interviewed at the CCRB on November 18, 2008 (encl. 13a – 13b), at which time he provided the following statement: on September 1, 2008, at approximately 6:00 PM, PO Rosso was

standing at his assigned footpost during the West Indian Day Parade on Franklin Avenue and Eastern Parkway in Brooklyn. PO Rosso heard the sound of multiple individuals screaming and saw PO Nikolaos Stefopoulos struggling with a male, identified through the investigation as § 87(2)(b) on the south side of Franklin Avenue near Eastern Parkway. § 87(2)(b) was lying face down on the ground. One of his arms was in a set of handcuffs behind his back and his other arm was extended away from PO Stefopoulos over his head. PO Rosso did not witness the events leading up to § 87(2)(b) arrest. PO Stefopoulos was lying on top of § 87(2)(b) and was holding § 87(2)(b)'s handcuffed arm. PO Rosso approached PO Stefopoulos to assist him in restraining § 87(2)(b). PO Rosso instructed § 87(2)(b) to stay on the ground and then grabbed his free arm, which he was able to give to PO Stefopoulos. § 87(2)(b) resisted by moving his body, kicking his legs and trying to roll out from under PO Stefopoulos. Once § 87(2)(b) was handcuffed, PO Stefopoulos and PO Rosso assisted him into a standing position. PO Rosso did not observe any injuries on his person. PO Stefopoulos then walked § 87(2)(b) towards a mobile command post and PO Rosso returned to his foot post.

While walking back to his foot post, PO Rosso observed five officers attempting to escort a second male, subsequently identified through his arrest as § 87(2)(b) off of the street and past a police barricade. PO Rosso did not witness the circumstances under which these officers initially approached § 87(2)(b). PO Rosso saw § 87(2)(b) kick an officer in the groin and then punch him on either his head or upper body. PO Rosso did not then know the officers who were struggling with § 87(2)(b) aside from noting that they were not from his command. PO Rosso later spoke with the officer who had been kicked and punched by § 87(2)(b) and obtained his shield number, which he stated was 13388. This officer was identified through the investigation as PO Daniel Baca of the 52nd Precinct. The officers surrounded § 87(2)(b) and brought him to the ground. Some of these officers fell to the ground with § 87(2)(b). PO Rosso approached the struggle to assist them in restraining § 87(2)(b). The officers began pulling on § 87(2)(b)'s arms to bring them behind his back. When PO Rosso neared them, he used his set of handcuffs to restrain § 87(2)(b).

PO Baca was transported to a hospital in regards to injuries sustained during the struggle with § 87(2)(b). PO Rosso walked § 87(2)(b) towards a mobile command center. PO Rosso did not specify where this command center was located in relation to the incident location. § 87(2)(b) resisted by pulling and shoving against PO Rosso and going limp. PO Rosso did not specify how he responded to § 87(2)(b)'s resistance. At the command center, § 87(2)(b) was brought before an EMT. PO Rosso observed that § 87(2)(b) had a few minor cuts on his head, though PO Rosso did not specify where these cuts were more specifically. § 87(2)(b) refused medical treatment at the mobile command center and never asked PO Rosso for medical treatment. PO Rosso did not specify when, how or where § 87(2)(b) was transported for arrest processing.

Officers Not Interviewed by the Investigation

Statements and documentary evidence identified PO Daniel Baca from the 52nd Precinct as present at the scene of the incident. § 87(2)(g)

Medical Records

A medical treatment of prisoner form was prepared for § 87(2)(b) on September 1, 2008 (encl. 14), which noted that § 87(2)(b) had sustained minor cuts after resisting arrest and had refused medical attention at the scene.

Police Department Documents:

61st Precinct Roll Call

According to the roll call for September 1, 2009 (encl. 15), PO Stephanopoulos was assigned to a parade detail.

Arrest Photos

§ 87(2)(b)'s arrest photo (encl. 5) and § 87(2)(b)'s arrest photo (encl. 17) show no observable signs of physical injury.

Disposition of Relevant Arrest

§ 87(2)(b) [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Civilian Criminal Conviction History

§ 87(2)(b) [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Notice of Claim Inquiry

As of June 4, 2009, the Comptroller's Bureau of Law and Adjustment determined that § 87(2)(b) and § 87(2)(b) have not filed a notice of claim with regard to the incident (encl. 20).

Officer CCRB History

PO Stefopoulos has been a member of the service for year and PO Rosso has been a member of the service for two years. They have had no CCRB allegations substantiated against them (encl. 2a – 2b).

Conclusions and Recommendations

Officer Identification

Statements and documentary evidence identified PO Stefopoulos, PO Rosso and PO Baca as involved in the incident. PO Stefopoulos admitted to using force against § 87(2)(b) and PO Rosso admitted to using force against § 87(2)(b) § 87(2)(g) § 87(2)(b) alleged that multiple officers pushed him past barricades separating the street from the sidewalk, pushed him to the ground and secured him in handcuffs. § 87(2)(b) was unable to describe or number these officers. PO Stefopoulos confirmed that additional officers were involved in apprehending § 87(2)(b) but stated that he did not know who these officers were. As the incident took place during the West Indian Day Parade, officers from a multiple commands across the five boroughs were patrolling the incident location.

§ 87(2)(g)

Undisputed Facts

It is undisputed that § 87(2)(b) refused to leave the parade area when instructed to do so. It is undisputed that officers, including PO Stefopoulos and PO Rosso, used force to restrain § 87(2)(b) and § 87(2)(b)

Disputed Facts

§ 87(2)(g)

Assessment of Evidence

§ 87(2)(b) alleged that he was pushed from behind by PO Rosso and then directed to leave the parade route by PO Stefopoulos. PO Rosso § 87(2)(g) stated that he was not involved in the circumstances leading up to § 87(2)(b)'s arrest and explained that § 87(2)(b) was struggling with PO Stefopoulos on the ground when his first observed him. PO Stefopoulos corroborated PO Rosso's account and confirmed that he was the first officer to approach § 87(2)(b) and the first officer to physically guide him passed the barricades separating the sidewalk from the parade route. PO Stefopoulos explained that he observed § 87(2)(b) walking with a number of acquaintances against the flow of parade traffic, screaming obscenities and generally disrupting the proceedings. PO Stefopoulos approached him, directed him to leave and, when § 87(2)(b) refused, gripped his right bicep and guided him past the barricade onto the sidewalk.

§ 87(2)(g)

PO Rosso and PO Stefopoulos § 87(2)(g) stated that § 87(2)(b) was apprehended half an hour after § 87(2)(b)'s arrest, which was corroborated by the time stamp on § 87(2)(b) and § 87(2)(b)'s respective arrest reports (encl. 7a – 7b; encl. 11a – 11b) § 87(2)(g)

§ 87(2)(b) alleged that PO Stefopoulos made false statements during his arraignment when stating that he had cursed, ignored verbal warnings, refused to provide his identification and returned to the street after he was pushed onto the sidewalk. § 87(2)(b) denied performing any of these actions, § 87(2)(g)

§ 87(2)(b) alleged that officers pushed him past the barriers separating the sidewalk, pushed him to the ground, held his legs to the ground to immobilize him and then secured him in handcuffs. PO Stefopoulos confirmed that § 87(2)(b) was pushed to the ground. While § 87(2)(b) denied struggling against the officers, PO Stefopoulos stated that § 87(2)(b) flailed his arms and refused to give up his arms. PO Stefopoulos's testimony was corroborated by both § 87(2)(b)'s arrest report (encl. 7a – 7b) and PO Rosso's testimony. § 87(2)(b) stated that he leaned back and spread his arms to the side to prevent himself from falling when first pushed. § 87(2)(g)

§ 87(2)(b) asserted that PO Rosso pushed § 87(2)(b) onto the ground on top of him. § 87(2)(g)

PO Rosso confirmed that he used force to restrain § 87(2)(b) but explained that § 87(2)(b)'s arrest was predicated by the fact that § 87(2)(b) punched PO Baca in the face and then kicked him in the groin. § 87(2)(g)

§ 87(2)(g)

Allegation A. PO Nikolaos Stefopoulos used physical force against § 87(2)(b)

Allegation B. Officers used physical force against § 87(2)(b)

§ 87(2)(g)

According to Patrol Guide Procedure 203-11, an officer may use that amount of force necessary to overcome resistance and effect an arrest (encl. 1). § 87(2)(g)

§ 87(2)(g)

Allegation C. PO Joseph Rosso used physical force against § 87(2)(b)

§ 87(2)(g)

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: